The Assistance Function

Point of Contact

- (703) 805-3906
- DSN 655-3906

ELOs

ELO

1. **Describe the Seven-Step Inspector General Action Process (IGAP) used to receive, process, and resolve Inspector General Action Requests (IGARs).**

2. **Describe the IG concept of confidentiality and what steps an IG should take if the IG must release a complainant's name during the course of an Inquiry or Investigation.**

3. **Identify who is authorized to release IG records for adverse action.**

Reference

- **AR 20-1, *Inspector General Activities and Procedures***

Assistance

"The day Soldiers stop bringing you their problems is the day you have stopped leading them. They have either lost confidence that you can help them or concluded that you do not care. Either case is a failure of leadership."

General Colin Powell

The Assistance Function

Army IGs:

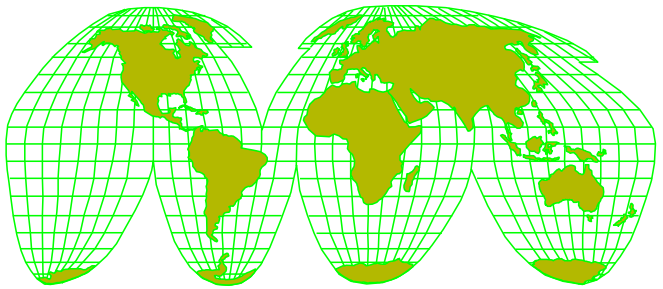
- **Render assistance**
- **Assist Commanders in correcting injustices**
- **Eliminate conditions detrimental to the efficiency or reputation of the Army**
- **Record and analyze data for corrective action**
- **Report on the status of the Army**

The Assistance Function

- **Major contributor to the Army IG workload**
- **Complements Inspections and Investigations**
- **Teaching and Training**

The Assistance Function Across the Army

- **Assistance and Investigations functions are usually combined (A & I Branch) below the DA level**
- **Heavy use of IG Tech Channels**
- **Conducted on an area basis**



AR 20-1, para 7-1

Inspector General Action Request

Inspector General Action Request = IGAR

IGAR

The process of:

- **Receiving**
- **Inquiring into**
- **Responding to:**
  - **Complaints**
  - **Requests for information**
  - **Requests for help**

that are presented or referred to an IG

DA Form 1559 (IGAR)

- **Base control document**
- **Document workload**
- **Identify trends**
- **Identify systemic issues**

DA Form 1559

INSPECTOR GENERAL ACTION REQUEST

For use of this form, see AR 20-1; the proponent agency is the Office of The Inspector General and Auditor General.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: Title 10, USC, Section 3039.

PRINCIPAL PURPOSE: To secure sufficient information to make inquiry into the matters presented and to provide a response to the requestor(s) and/or take action to correct deficiencies.

ROUTINE USES: Information is used for official purposes within the Department of Defense; to answer complaints or respond to requests for assistance, advice or information; by Members of Congress and other Government agencies when determined by The Inspector General and Auditor General to be in the best interest of the Army; and in certain cases in trial by court martial other military matters as authorized by the Uniform Code of Military Justice.

DISCLOSURE OF THE SOCIAL SECURITY NUMBER AND OTHER PERSONAL INFORMATION IS VOLUNTARY. HOWEV FAILURE TO PROVIDE COMPLETE INFORMATION MAY HINDER PROPER IDENTIFICATION OF THE REQUESTOR, ACCOMPLISHMENT OF THE REQUESTED ACTION(S) AND RESPONSE TO THE REQUESTOR.

LAST NAME - FIRST NAME - MIDDLE INITIAL	GRADE	SSN	DUTY TELEPHONE

COMPLETE PRESENT MILITARY ADDRESS (If civilian, give home address, state current civilian address, including Zip Code.)

SPECIFIC ACTION REQUESTED

INFORMATION PERTAINING TO THIS REQUEST (Continue on plain sheets if necessary; list inclosures if applicable.)

This information is submitted for the basic purpose of requesting assistance, correcting injustices affecting individual, or eliminating conditions considered detrimental to the efficiency or reputation of the Army. I fully understand that I may be held accountable for any statements which are proved to be knowingly untruthful.

DATE (YYYYMMDD)	SIGNATURE

DA FORM 1559, APR 2001 REPLACES EDITION OF OCT 99, WHICH IS OBSOLETE. USAPA V1.00

What do you want the IG to do for you?

Be sure to get a good phone #

Sources of IGARs

- Soldiers (Active & Reserve Components)
- Anonymous
- Department of Army Civilians
- Family Members
- Retirees / Veterans
- Commanders
- Other Services
- Government Agencies
- Civilian-Civilians
- Media
- Contractors
- Third Parties
- ** Foreign Nationals**
- Referrals from:
  - Other IGs
  - Congress
  - White House

Bottom Line

Anyone can submit an IG complaint

No precondition for coming to the IG

AR 20-1, para 4-2

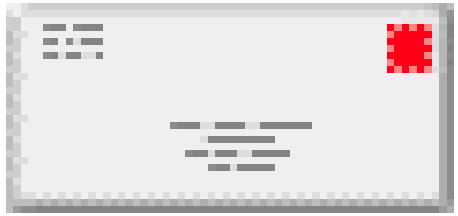
The 7-Step Inspector General Action Process

ELO

1. Receive the IGAR
2. Preliminary analysis (issues / allegations, IG appropriate, IGARS, acknowledge receipt, COA)
3. Refer & Notify
4. Fact-Finding
5. Notify
6. Follow-up
7. Close (final reply, IGARS, reports, trends)

Step 1: Receive the IGAR

- **IGARs come from the <u>in</u> crowd:**
  - **Walk-in**
  - **Call-in**
  - **Write-in**
  - **Email-in**
  - **In the Gym / PX**



AR 20-1, para 4-2

Step 1: Receive the IGAR

(continued)

Fundamental interview questions to ask:

1. **What do you want the IG to do for you?**
2. **Do you have any supporting documentation?**
3. **Have you asked for assistance from any other agencies?**
4. **Is the chain of command aware of the problem?**
5. **What is your status?**

IG Confidentiality

ELO

- **Ethically comparable to the doctor-patient relationship**
- **Protects individual privacy and maintains confidence in the IG System**
- **Need not be specifically requested**

AR 20-1, para 1-12

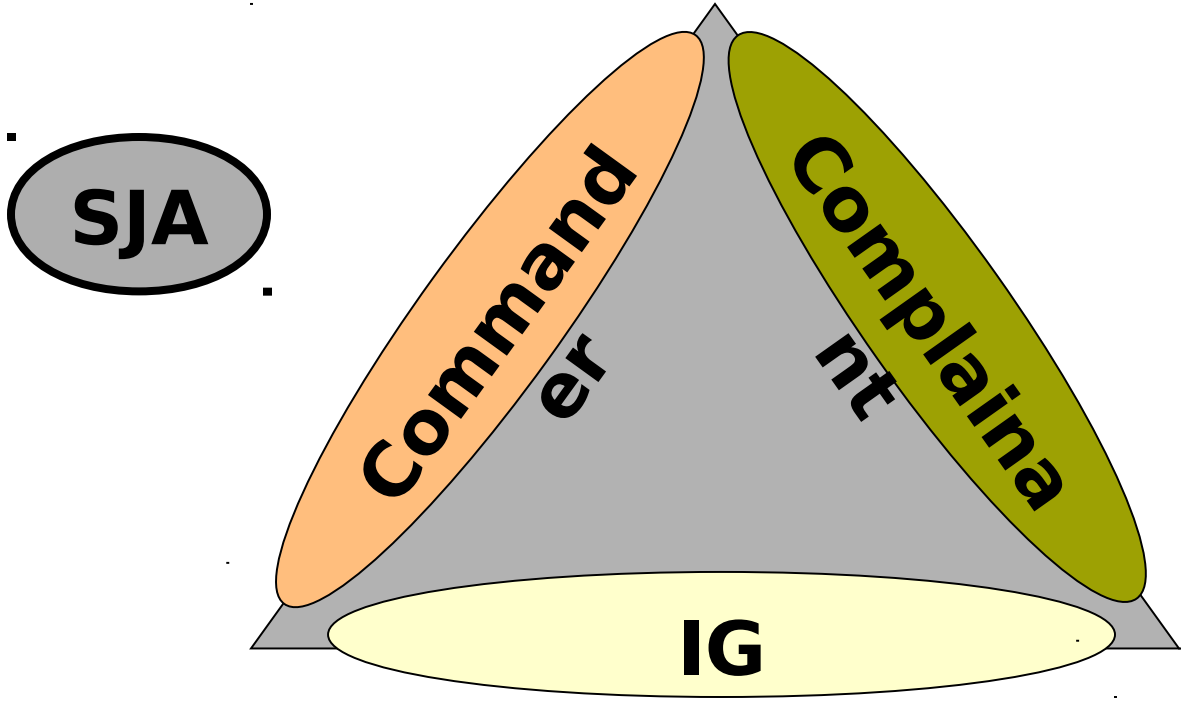
Confidentiality is Not Guaranteed

- Nature of the issue
- Official use within the Army
- By direction of TIG
- Legal proceedings (call DAIG Legal)
- If unavoidable, try to contact complainant before disclosure

AR 20-1, para 1-12

Triangle of Confidentiality

ELO



- Protect privacy
- Minimize risk of reprisal
- Maintain confidence in the IG system

AR 20-1, para 1-12

STEP 2: Conduct IG Preliminary Analysis

- **A thought process to determine how best to proceed, may take <u>minutes</u> / <u>hours</u> / <u>days</u>**

- **5 Sub-Steps of Preliminary Analysis**

  - **Identify issues / allegations**
  - **Determine IG appropriateness**
  - **Open case in IGARS database**
  - **Acknowledge receipt**
  - **Select COA**

AR 20-1, para 4-3

STEP 2: Conduct IG IGPA Identify Issues and Allegations

- ***Issue:*** **a request for information or assistance to the IG that does not have an "who" as the violator of standards or policy--the outcome is either *FOUNDED or UNFOUNDED.***
- ***Allegations:*** **an issue that lists "who" violated the standards or regulations--the outcome *is either SUBSTANTIATED or NOT SUBSTANTIATED.***
- ***Complaints*****: an expression of dissatisfaction or discontent with a process or system.**

  "Privates should get paid the same BAH as officers."

AR 20-1, para 4-3 and 4-4

STEP 2: Conduct IG IGPA Determine IG Appropriateness

- If the matter is Army related, you decide:
  - What is appropriate for the IG to work
  - Or refer to:
    - Chain of command
    - Other agencies
    - Other IGs

- Many matters raised to an IG may not be appropriate for the IG to work

AR 20-1, para 4-4

Not IG Appropriate

- Criminal allegations (with exception)
- EO complaints (with exception)
- Non-Army related issue
- Hazardous work conditions
- Redress available to DoD civilians
- Soldier nonsupport of family

AR 20-1 Para 4-4

Not IG Appropriate

(continued)

- **Redress available through other channels**
  - **Thoroughly analyze the complaint to identify <u>all</u> issues**
  - **Determine if the complainant has attempted to use the appropriate appeal process - if not, advise him / her to do so**
  - **Complete DA Form 1559 - Open / Close case in IGARS database**

AR 20-1 para 4-4j

STEP 2: Conduct IGPA Acknowledge Receipt

- **May be *verbal* or *written***
- **Advise that you have received the IGAR**
- **If issue is appropriate for IG**
  - **AND complainant has right to know:**
    - **Inform individual that you will provide a response**
  - **BUT the complainant is not directly affected**
    - **Send a third party response thanking them for their concern telling them that you will look into the matter**

AR 20-1, para 4-5

STEP 2: Conduct IGPA Acknowledge Receipt

- **If issue is not appropriate for IG:**
  - **Acknowledge receipt of the IGAR**
  - **Inform the complainant why not appropriate**
  - **Provide information on the appropriate office that can address the issue, including required formats (Army Board for Correction of Military Records (ABCMR) requires submissions on DD Form 149, *Application for Correction of Military Record)***
  - **Forward to that agency if possible**

STEP 2: Conduct IGPA Select a Course of Action

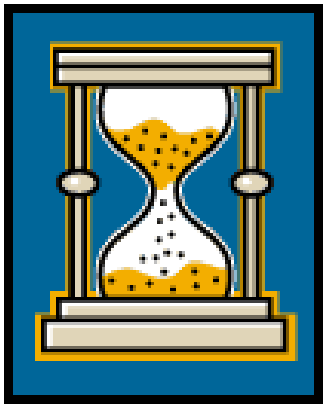
- ✓ **Inspection**
- ❖ **Assistance Inquiry**
- ▪ **Investigative Inquiry**
- ▪ **Investigation**
- ➢ **Refer**

} **Investigations Class Topics**

AR 20-1, para 4-5b

Time Limits

- **Complaint received 10 years after event occurred:**
  - **Complete a DA Form 1559**
  - **Analyze the complaint for <u>all</u> issues and allegations**
  - **Inform complainant IGAR not timely**
  - **<u>Do not</u> work case**



- **UNLESS**
  - **TIG authorizes**
  - **Complaints involving senior officials**

AR 20-1, para 4-2d

STEP 3: Initiate Referrals and Make Notifications

- **Matters that are not IG appropriate are referred to the proper agency, and the IG case is closed.**
  - **Exception: matters referred to the chain of command. In that instance, the IG will monitor the case after the referral is made to ensure the chain of command takes proper action.**
- **Subject / Suspect / Supervisor notifications, if allegations (investigations).**

AR 20-1, para 4-6a

STEP 4: Conduct IG Fact-Finding

- **IG Fact-Finding consist of:**
  - **Inspection (Requires Directive)**
  - **Assistance Inquiry (No permission needed)**
  - **Investigative Inquiry (No permission needed)**
  - **Investiga[illegible]Directive)**

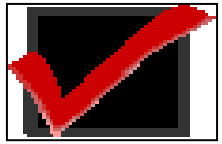
STEP 5: Make Notification of Results

- **If assistance was provided, provide the complainant information pertaining directly to him / her.**
- **Remember third party rules**
- **Notifications need to be annotated in case notes in IGARS database**

AR 20-1, para 4-8

STEP 6: Conduct Follow-up

IG can contact complainant, have the Complainant contact the IG, or address in future inspection



Ensure issues were thoroughly addressed

Ensure all IG responsibilities are fulfilled

AR 20-1, para 4-9

STEP 7: Close the IGAR

1. **Provide complainant a final reply**
2. **Close the file in IGARS database**
3. **Make appropriate reports**
4. **Analyze developing trend**

AR 20-1, para 4-10

The 7-Step Inspector General Action Process

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6. Follow-up
7. Close (final reply, IGARS, reports, trends)

Nature of IG Records

- All Army IG records are property of Secretary of the Army, including
  - USAR IG records
  - ARNG IG records concerning Federal matters
- IGs maintain records on SecArmy's behalf
- TIG is release authority

AR 20-1, para 3-1

Official Use of IG Records Within Dept of the Army

Local IG can release:

- **IG ROI or ROII to directing authority**
- **IG inspection report to directing authority and commanders and staff officers whose duties are related to the report**
- **Release of IG Records to DA Investigators**
  - ✓ **AR 15-6 Investigating Officer (IO)**
  - ✓ **Criminal Investigation Division (CID)**
  - ✓ **Military Police Investigator (MPI)**
  - ✓ **Financial Liability Investigations of Property Loss**

AR 20-1, para 3-6

Release of IG Records to DA Investigators

- **Local IG may provide information from IG records:**
  - ✓ **Oral brief on nature of allegations**
  - ✓ **Oral relevance witness list, brief synopsis of testimony**
  - ✓ **Readily available documents, not received in confidence**

- **Maintain impartiality (Don't influence impartiality of the follow-on investigator**

AR 20-1, 3-6i

IG Records and Adverse Action

ELO

- **IG records are not used as a basis for adverse action . .**

- ***EXCEPT* as approved by TIG on a by-exception basis**

AR 20-1, para 3-3

Request to Use IG Records for Adverse Action

- **IG Office of Record submits request to DAIG Records Release Office.**
- **Precisely identify which portions of the IG record are needed and why.**
- **State why a follow-on investigation would be unduly burdensome, disruptive, or futile.**

AR 20-1, para 3-3

Release of IG Records Outside Dept of the Army

- **Information can be extracted from IG records to**
  - **Respond to requests for advice, assistance, or information**
  - **Answer complaints**
  - **Prepare closure letters**
- **Personal info may be used only if authorized under the Privacy Act**

AR 20-1, para 3-7

FOIA (Unofficial) Requests for IG Records

- **Anyone may request copies of an IG record**
- **IG receiving a written FOIA request:**
  - **Sends written acknowledgment to the requestor**
  - **Sends to DAIG Records Release Office within 10 days:**
    - ✓ **Original request**
    - ✓ **Copy of the acknowledgment**
    - ✓ **One collated copy of the requested record**

- **DAIG Records Release, with TIG approval, may release IG records for unofficial use**

AR 20-1, para 3-7c

Conclusion

The Army Assistance Function:

- **The Seven-Step IGAP Process**
- **IG Confidentiality**
- **Release of IG Records**

Assistance Issues

Active Component

- Non-Support
- Personal Conduct Issues
- Personnel Management
- Enlisted Promotions
- Pay Issues

USAR & National Guard

- Mobilization Issues (Pay / Non Support)
- LOD / Incapacitation Pay
- Drill Pay
- NCOER / OER Issues
- Enlisted Promotions

QUESTIONS ?